

REMARKS

A telephone conference was held between the examiner and the undersigned on Wednesday, June 20, 2001. This paper is submitted pursuant to that conference.

Applicants' position has been and is that the examiner has never examined the claims actually pending in this application. The examiner has requested submission of evidence that a Preliminary Amendment was filed in this application. Attached to this communication is a copy of the Preliminary Amendment and a copy of the "amended sheet" of claims in this application to which the Preliminary Amendment was intended to apply. There is also attached a form PCT/DO/EO/903 indicating that the Preliminary Amendment was filed and received. When the amended sheet is viewed together with the amendments applicants attempted to make to the correct original claims, it will be seen that in addition to the fact that the correct claims have never been examined, the new claims presented in applicants' previous response simply provided a clean copy and could not have raised any new issues.

Applicants believe that it would be appropriate for the examiner now to withdraw the previous final rejection, enter applicants' previous amendment and act on claims 13-21.

In the event that it should be considered by the US Patent and Trademark Office that applicants' position is somehow incorrect, the present paper should be treated as an RCE requesting entry of the previous unentered amendment (mailed June 11, 2001)

and the appropriate fee therefore charged to Deposit Account 11-0345, hence the subtitle of the present paper "*PRELIMINARY AMENDMENT IN RCE*."

Applicants respectfully request that their position on the correct status of this application be favorably considered, that prosecution be reopened on this application *per se*, and that the RCE fee, if charged, be refunded back to Deposit Account 11-0345.

**A check in the amount of \$270.00 is attached to cover the required second further extension of time fee (one month extension fee paid with earlier amendment).**

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

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MG/kas



January 14, 1999

EIPEL et al.

New Patent Appln. 47114

Received: spec., assignment, declaration, IDS with refs.  
prel. amend and check for \$880

PLEASE HOLD FOR SERIAL NO. AND FILING DATE

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414 BROADWAY 1 JAN 1999

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TC 1700 MAIL ROOM



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
EIPEL et al.

International Application  
PCT/EP 97/03571

Filed: July 7, 1997

BOX PCT

For: SOLID SUPPORTS FOR ANALYTICAL MEASURING PROCESSES, A PROCESS  
FOR THEIR PREPARATION, AND THEIR USE

PRELIMINARY AMENDMENT

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Prior to examination, kindly amend the above-identified  
application as follows.

IN THE CLAIMS

Page 11 of the claims, indicated line 35, replace "11.  
[sic]" with --7.--;

indicated line 39, replace "12.[sic]"  
with --8--.

Claim 3, line 1, delete "or 2" and insert --claim 1--.

Claim 4, line 1, delete "any of claims 1 to 3" and insert  
--claim 1--.

Claim 5, line 1, delete "any of claims 1 to 4" and insert  
--claim 1--.

Newly renumbered claim 7, lines 1 and 2, delete "or 6".

Newly renumber claim 8, line 1, delete "any of claims 1 to  
4" and insert --claim 1--.

R E M A R K S

Claims 1-12 were amended in the international preliminary  
examination. An English language translation of the amended  
claims is attached. The claims were incorrectly numbered in the

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amendment, and the instant preliminary amendment corrects the misnumbering. The claims have been further amended to eliminate multiple dependency and to put them in better form for U.S. filing. No new matter is included.

Favorable action is solicited.

Respectfully submitted,

KEIL & WEINKAUF



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We claim:

1. A solid support for analytical measurement methods which is  
5 essentially composed of an inert solid support material on  
which hydrophilic measurement zones which may be provided  
with a surface loading are separated from one another by at  
least one non-continuous hydrophobic coating, where the  
10 number of measurement points applied per cm<sup>2</sup> of the support  
is greater than or equal to 10.
2. A solid support as claimed in claim 1, wherein the hydro-  
philic measurement zones applied to the support are separated  
15 from one another by non-continuous hydrophobic zones in the  
form of rings.
3. A support as claimed in claim 1 or 2, wherein the support ma-  
terial used is glass, ceramic, quartz, metal, stone, plastic,  
20 rubber, silicon or porcelain.
4. A support as claimed in any of claims 1 to 3, wherein a  
transparent support material selected from the group of  
glass, quartz, silicon or plastic is used.
- 25 5. An analytical measurement method which comprises applying  
liquid analysis samples in the hydrophilic measurement zones  
of a support as claimed in any of claims 1 to 4, overlaying  
the hydrophilic measurement zones with a hydrophobic liquid  
and performing the analysis.
- 30 6. An analytical measurement method as claimed in claim 5,  
wherein the analytical measurement is carried out in an at-  
mosphere which is virtually saturated with water vapor.
- 35 11. [sic] An analytical measurement method as claimed in claim 5  
or 6, wherein the analytical measurement is carried out while  
cooling the support.
- 40 12. [sic] The use of a support as claimed in any of claims 1 to 4  
in diagnostic methods, in research looking for active sub-  
stances, in combinatorial chemistry, in crop protection, in  
toxicology or in environmental protection.

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FORM PCT/DO/EÓ/903 (December 1997)